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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA) Case No. CR-S-99-433-WBS
)
Plaintiff,)
)
v.) STIPULATION AND [PROPOSED] ORDER
) RESETTING BRIEFING SCHEDULE ON
JOHN THAT LUONG, et al.,) DEFENDANT JOHN LUONG'S MOTION TO
) RECONSIDER
Defendants.)
)

The United States of America, through its counsels of record, McGregor W. Scott, United States Attorney for the Eastern District of California, and William S. Wong and Jason Hitt, Assistant United States Attorneys; defendant John That Luong, through his counsel, Richard Mazer, Esq., stipulate and agree to the following revised motion schedule on defendant John Luong's pending motion to reconsider and exclusion of time under the Speedy Trial Act:

1. Defendants' reply, if any, to be filed by February 20, 2007; and
2. Hearing on the motion: March 12, 2007, at 9:30 a.m.

Counsel for the defendant needs additional time to research and prepare its response to the government's opposition. Accordingly,

1 the parties stipulate that time be excluded for the pendency of
2 these motions pursuant to 18 U.S.C. § 3161(h)(1)(F) - delay
3 resulting from any pretrial motion and 18 U.S.C. § 3161(h)(8)(B)(ii)
4 - additional time to adequately prepare for pretrial proceedings.

5
6 Respectfully submitted,

7 MCGREGOR W. SCOTT
8 United States Attorney

9 DATED: February 2, 2007

10 By: /s/ Jason Hitt
11 JASON HITT
12 Assistant U.S. Attorney

13 DATED: February 2, 2007

14 By: /s/ Richard Mazer
15 RICHARD MAZER for defendant
16 John That Luong
17 Telephonically authorized to
18 sign for Mr. Mazer on 12/05/06
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ORDER

For the reasons set forth above, the revised law and motion schedule is adopted. Furthermore, time is excluded for the reasons set forth above.

DATED: February 5, 2007

A handwritten signature in blue ink, appearing to read "William B. Shubb", is written over a horizontal line.

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE